

Message Text

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54

ACTION EB-11

INFO OCT-01 EUR-25 ADP-00 SSO-00 CAB-09 CIAE-00 COME-00

DODE-00 INR-10 NSAE-00 RSC-01 FAA-00 INRE-00 L-03

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FM AMEMBASSY DUBLIN

TO SECSTATE WASHDC NIACT IMMEDIATE 4529

C O N F I D E N T I A L DUBLIN 00413

E. O. 11652 GDS

TAGS: ETRN, PFOR, EI

SUBJ: CIVAIR - LANDING RIGHTS

REF: DUBLIN 4528

FOLLOWING IS THE TEXT OF THE IRISH GOVT'S RESPONSE TO OUR
NOTE OF MARCH 14. THIS TEXT WAS HANDED TO AMBASSADOR
AND DCM MARCH 29 BY PERMSEC HUGH MCCANN. ORAL REPRESENTA-
TIONS MADE BY PERMSEC MCCANN AND EMBASSY COMMENTS FOLLOW
SEPTEL.

BEGIN TEXT

EXCELLENCY,

I HAVE THE HONOR TO REFER TO YOUR NOTE NUMBER 37 OF
14 TH MARCH 1973 PROPOSING DRAFT UNDERSTANDINGS RELATING
TO AIR TRANSPORT SERVICES BETWEEN IRELAND AND THE UNITED
STATES AND TO LATER INFORMAL DISCUSSIONS ON THE SUBJECT.

THE GOVERNMENT OF IRELAND NOTE WITH SATISFACTION THAT
THE GOVERNMENT OF THE UNITED STATES HAVE NOW MODIFIED THEIR
DEMANDS FOR LANDING RIGHTS AT DUBLIN TO PROVIDE FOR
OPERATION BY ONE UNITED STATES AIRLINE WITH NO ONWARD
RIGHTS AND WITH A MANDATORY STOP AT SHANNON IN EACH
DIRECTION AS LONG AS ANY OTHER AIRLINE AUTHORIZED TO
OPERATE BETWEEN DUBLIN AND THE UNITED STATES IS
REQUIRED TO DO LIKEWISE.

MY GOVERNMENT NOTE THAT THE OFFER OF THE GOVERNMENT
OF THE UNITED STATES TO PERMIT AERLINTE ACCESS TO THE OFF-
ROUTE CHARTER MARKET IS IN RESPONSE TO A REQUEST BY THE FORMER
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TAOISEACH. IN SEEKING THIS MEASURE OF LIBERALIZATION, AS A QUID PRO QUO FOR THE POSSIBLE GRANTING OF LANDING RIGHTS AT DUBLIN, THE FORMER TAOISEACH DID NOT ENVISAGE THE ABANDONMENT BY THE IRISH GOVERNMENT OF THE POLICY OF ACCORDING TO AERLINTE AND TO UNITED STATES' SCHEDULED AIRLINES SERVING IRELAND, A RIGHT OF FIRST REFUSAL FOR ON-ROUTE CHARTER FLIGHTS, THAT IS TO SAY FLIGHTS BETWEEN IRELAND AND NEW YORK, CHICAGO AND BOSTON.

IT IS THE VIEW OF THE IRISH GOVERNMENT THAT COMPETITION FOR ON-ROUTE CHARTER TRAFFIC BETWEEN IRELAND AND THE UNITED STATES BY FIVE UNITED STATES SUPPLEMENTAL AIRLINES AS WELL AS TWO UNITED STATES SCHEDULED AIRLINES COULD VERY SERIOUSLY DAMAGE THE INTERESTS OF AERLINTE AND INDEED LEAD TO THE ENFORCED ABANDONMENT OF ITS SCHEDULED SERVICES WHICH, BEING LARGELY BASED ON ETHNIC TRAFFIC CARRIED AT PROMOTIONAL FARES, ARE PARTICULARLY BY CHARTER FLIGHTS OPERATED UNDER THE NEW ADVANCED BOOKING CONCEPTS. THEY ALSO FEAR THAT THE DIVERSION FROM SCHEDULED TRAFFIC WHICH WOULD OCCUR IN SUCH CIRCUMSTANCES WOULD ALSO LEAD TO DETERIORATION IN THE FREQUENCY OF SCHEDULED SERVICES OPERATED BY UNITED STATES AIRLINES BETWEEN IRELAND AND THE UNITED STATES. THE IRISH GOVERNMENT CONSIDER THAT THEIR PRESENT POLICY IN RELATION TO ON-ROUTE CHARTERS IS THE MINIMUM NECESSARY PROTECTION FOR SCHEDULED CARRIERS ON THE ROUTE, INCLUDING AERLINTE, AND THEY COULD NOT CONTEMPLATE A DEPARTURE FROM IT.

THE IRISH GOVERNMENT ARE HOWEVER PREPARED TO CONSIDER, IN PRINCIPLE, A SETTLEMENT OF THE PRESENT DIFFERENCES BETWEEN THE TWO GOVERNMENTS ON THE BASIS OF THE PROPOSAL OF THE GOVERNMENT OF THE UNITED STATES IN RELATION TO LANDING RIGHTS FOR A UNITED STATES SCHEDULED AIRLINE AT DUBLIN BALANCED BY SOME REASONABLE CONCESSION TO AERLINTE EIREANN IN THE AREA OF CHARTER RIGHTS. MY GOVERNMENT PROPOSE IN THIS RESPECT THAT AERLINTE BE GRANTED OFF-ROUTE CHARTER RIGHTS FOR THOSE POINTS WHERE THEY MAINTAIN OFFICES IN THE UNITED STATES VIZ:

1. LOS ANGELES
2. PHILADELPHIA
3. WASHINGTON
4. CLEVELAND
5. DALLAS
6. DETROIT

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7. SAN FRANCISCO

MY GOVERNMENT ARE ALSO CONCERNED THAT ANY SETTLEMENT
MADE NOW SHOULD BE OF SOME REASONABLE DURATION AND THAT
THEY SHOULD HAVE SOME ASSURANCES THAT THESE ISSUED WILL
NOT BE REOPENED IN THE NEAR FUTURE AND NOT IN ANY CASE
FOR A PERIOD OF FIVE YEARS. I APPRECIATE THAT NO FORMAL GUARANTEE
GUARANTEES OF THIS KIND CAN BE INCLUDED IN THE BILATERAL
AGREEMENT BUT ASSURANCES AS TO THE INTENTIONS OF THE
GOVERNMENT OF THE UNITED STATES IN THIS RESPECT WOULD
BE ACCEPTABLE TO MY GOVERNMENT. IN THIS CONNECTION
ALSO MY GOVERNMENT CONSIDER THAT ANY SETTLEMENT OF THE
LANDING RIGHTS ISSUE WHICH MAY NOW BE REACHED SHOULD
BE INCORPORATED INTO THE FRAMEWORK OF THE EXISTING
BILATERAL AGREEMENT AND SUBJECT TO ITS TERMS.

ACCEPT, EXCELLENCY, THE ASSURANCE OF MY HIGHEST
CONSIDERATION.

END TEXT

MOORE

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